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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,970	02/11/2004	Jonathan Eugene Brunson		9668

7590 03/17/2006

JONATHAN EUGENE BRUNSON  
204 DUNCAN ROAD  
SPRING LAKE, NC 28390

EXAMINER

ROJAS, OMAR R

ART UNIT PAPER NUMBER

2874

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

HA

<b>Office Action Summary</b>	Application No. 10/775,970	Applicant(s) BRUNSON, JONATHAN EUGENE	
	Examiner Omar Rojas	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .                  |

### **DETAILED ACTION**

1. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

### ***Drawings***

2. The drawings filed June 4, 2004 are objected to as introducing new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- In Figure 1, the structural features labeled as "Optical Cladding (Outer Shell)"; "Optical Color(s)"; "Optical Core"; and "Optical Lens" are considered new matter because these features were not shown in the original drawings or described in the specification as originally filed. The additional features inside the box labeled as reference numeral 120

also constitute new matter since these features were not shown in the original drawings or described in the specification as originally filed.

- In Figure 2, the structural features labeled as "Optical Cladding (Outer Shell)"; "Optical Core"; "Optical Lens"; and "Optical Image" are considered new matter because these features were not shown in the original drawings or described in the specification as originally filed. The additional features inside the box labeled as reference numeral 120 also constitute new matter since these features were not shown in the original drawings or described in the specification as originally filed.

3. The drawings filed September 8, 2004 are objected to as introducing new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- In Figure 1, the structural features labeled as "Optical Cladding (Outer Shell)"; "Optical Color(s)"; "Optical Core"; and reference numerals 150 and 220 are considered new matter because these features were not shown in the original drawings or described in the specification as originally filed. The additional features inside the box labeled as reference numeral 120 also constitute new matter since these features were not shown in the original drawings or described in the specification as originally filed.
- In Figure 2, the structural features labeled as "Optical Cladding (Outer Shell)"; "Optical Core"; "Optical Image"; and reference numerals 150 and 220 are considered new matter because these features were not shown in the original drawings or described in the specification as originally filed. The additional features inside the box labeled as

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reference numeral 120 also constitute new matter since these features were not shown in the original drawings or described in the specification as originally filed.

- In Figure 3, the structural features labeled as "Optical Cladding (Outer Shell)"; "Optical Core"; "Optical Image"; and reference numerals 150, 210, and 220 are considered new matter because these features were not shown in the original drawings or described in the specification as originally filed.

4. The drawings are objected to because the character of the lines, numbers, and letters is not uniformly thick and well-defined (see Figures 1-3). See also 37 CFR 1.84 (l).

5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

6. The amendment to the specification filed June 4, 2004 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- The addition of "fiber optic glass panels" and their composition (e.g., as disclosed in the Abstract and paragraph [0007]) constitutes new matter. Although glass panels were discussed in the original disclosure, there is no support for these glass panels being fiber optic.
- The addition of "images" and "image frequency interface" (e.g., as disclosed in the paragraph [0007]) also constitutes new matter. The original disclosure described a system for producing automatic window tint. Although a frequency interface was mentioned in the original disclosure, there is no support for producing images using an image frequency interface.

Applicant is required to cancel the new matter in the reply to this Office Action.

7. The amendment filed September 8, 2004 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- The addition of "fiber optic glass panels" and their composition (e.g., as disclosed in the Abstract and paragraph [0007]) constitutes new matter. Although glass panels were

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discussed in the original disclosure, there is no support for these glass panels being fiber optic.

- The addition of "images" and "image frequency interface" (e.g., as disclosed in the paragraph [0007]) also constitutes new matter. The original disclosure described a system for producing automatic window tint. Although a frequency interface was mentioned in the original disclosure, there is no support for producing images using an image frequency interface.
- All of the underlined text constitutes new matter since there is no support in the original disclosure for this added subject matter.

Applicant is required to cancel the new matter in the reply to this Office Action.

8. The Applicant is reminded that the proper avenue for the addition of new subject matter is through the filing of a continuation-in-part ("CIP").

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. **Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.** The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant

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art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- The "fiber optic glass panels", "image frequency interface", and "image source" recited by the claims are not supported by the specification as originally filed. See §§ 6-7 above.
- The "lens" recited by claims 5 and 10 is also not supported by the specification because no lens is mentioned in the original disclosure.

**12. Claims 1-20 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.**

The claim(s) are narrative in form and replete with indefinite and functional or operational language (i.e., "would project"; "would communicate"; and "or the like"). The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



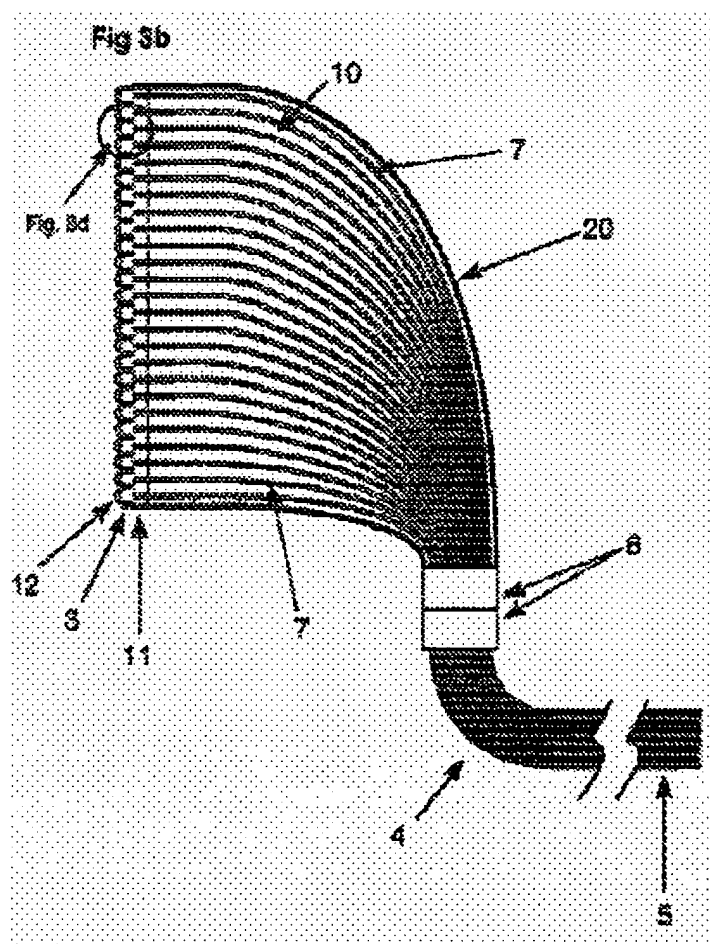
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**14. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,571,043 B1 to Lowry et al. ("Lowry").**

Regarding claims 1, 6, 11, and 16, to the extent the claims are definite, Lowry discloses a fiber optic system comprising:

display tiles or panels 3 that hold glass optical fibers 7;

color and image frequency interfaces (column 10, lines 43-47) that allow an individual to project color images to the display tiles 3. Figure 3b of Lowry is reproduced below.



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Regarding claims 2, 3, 7, 8, 12, 13, 17, and 18 the video projector 18 and input matrix 13 of Lowry meet the specified limitations.

Regarding claims 4, 9, 14, and 19, Lowry discloses connecting fiber optic strands 4.

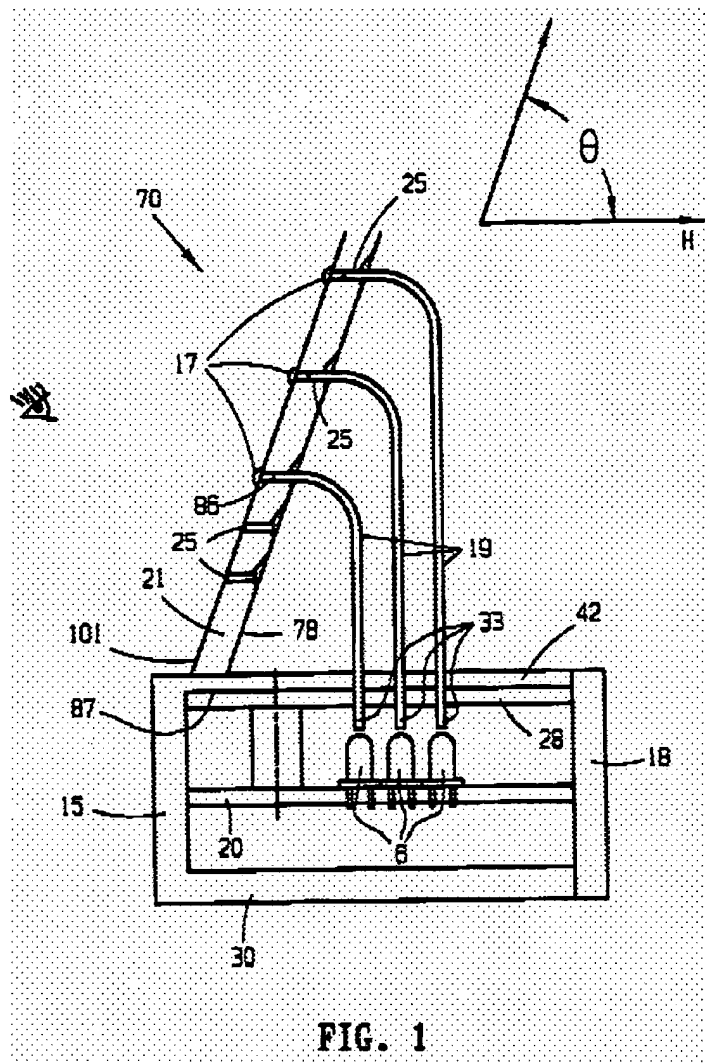
**15. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,880,276 B2 to Strein et al. ("Strein").**

Regarding claims 1, 6, 11, and 16, to the extent the claims are definite, Strein discloses a fiber optic system comprising:

fiber optic glass panels 21 (see also column 10, lines 29-33);

a controller comprising color and image frequency interfaces (column 10, lines 29-53)

that allow an individual to project color images inside the fiber optic glass panels 21. Figure 1 of Strein is reproduced below.



Regarding claims 2, 3, 7, 8, 12, 13, 17, and 18 the LEDs 6 shown by Strein meet the specified limitations.

Regarding claims 4, 9, 14, and 19, Strein discloses connecting fiber optic strands 19.

Regarding claims 5, 10, 15, and 20, Strein discloses an optical lens 17 for expanding the color or images within the display panel 21.

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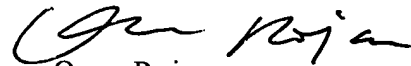
***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patent No(s). 5,293,347 and 6,195,016 B1 disclose fiber optic display devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Rojas whose telephone number is (571) 272-2357. The examiner can normally be reached on Monday-Friday (12:00PM-8:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rod Bovernick, can be reached on (571) 272-2344. The official facsimile number for regular and After Final communications is (571) 273-8300. The examiner's RightFAX number is (571) 273-2357.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Omar Rojas  
Patent Examiner  
Art Unit 2874

or  
March 15, 2006



AKM ENAYET ULLAH  
PRIMARY EXAMINER